C O N F I D E N T I A L BAGHDAD 003026

SIPDIS

E.O. 12958: DECL: 09/19/2018
TAGS: PGOV IZ
SUBJECT: EMBASSY PRESSES GOI TO RESTORE ALUSI'S IMMUNITY
AND PROVIDE PROTECTION.

REF: BAGHDAD 2975

Classified By: POLMINCOUNS ROBERT S. FORD, FOR REASONS 1.4 (B) AND (D).

¶1. (C) Following the Parliament's decision September 14 to
remove Mithal Alusi's parliamentary immunity after Alusi's
visit to Israel and public criticism of Iraq politicians'
ties to Iran (reftel), the DCM expressed USG concern over
this action to the Prime Minister's Chief of Staff Tariq
Abdullah. The DCM expressed USG concern over reports that
the Prime Minister's office (PMO) had stopped paying for
extra security for Alusi in the face of death threats to
Alusi, and underlined the need for the GOI to protect freedom
of speech. Furthermore, the DCM noted that the case has
attracted negative publicity in the U.S. Abdullah denied
that the PMO had removed security protection from Alusi. He
said that they had not contacted anyone or intervened in the
case. He added that providing security protection is not the
responsibility of the GOI, but rather the Parliament. DCM
responded that if anything happens to Alusi the Iraqi
government's reputation as a whole would suffer. (Comment:
Despite Abdullah's denial that the PMO was involved in the
Alusi affair, Mithal Al-Alusi insisted to PolMinCons on
September 18 that a staffer in Abdullah's office had called
Alusi's office on September 15 and stated that Iraqi Defense
Ministry funding for extra Alusi security would be withdrawn.
 End Comment.)

¶2. (C) Chief Prosecutor Judge Ghadanfer told embassy Rule of
Law officer on September 16 that the Prime Minister's office
requested the judge's advisory opinion on whether Alusi
should be charged under 1969 statute which prohibits Iraqis
from traveling to countries unfriendly to Iraq. According to
Judge Ghadanfer the statute applied to the United States,
Israel and Iran during the Saddam era. Ghadanfer added that
he did not support the possible prosecution of Alusi under
this old statute, though he was personally outraged at
Alusi's trips to Israel. Ghadafer said that he had not
written the advisory opinion yet, and that he would like to
seek Chief Judge Medhat's input and assistance in dealing
with the request from the Prime Minister's office.

¶3. (C) Embassy ROL contacted several senior MOI officials
beginning on September 15 to seek protection for Alusi.
Those contacted included MG Ayden Khaled, Deputy Minister,
Iraqi Police Affairs; MG Hussein ali Kamal Deputy Minister,
Intelligence; and MG Ahmed Taha Mosawi, Director General,
Internal Affairs. Each expresed a willingness to assist but
indicated they would first need to seek the approval of
Minister of Interior Jawad Bolani. We talked to Alusi on
September 18 and visited him on September 19 but so far no
extra police have appeared. Embassy RoL will raise this
again with the Interior Ministry on September 21.

¶4. (C) Kurdish parliamentary bloc leader Fouad Massum, who
played an unhelpful role during the parliamentary melee that
ended with Alusi losing his parliamentary immunity, told
Poloffs on September 18 that Alusi was brave but not wise.
Massum said that Alusi's motivation in going to Israel was to

slap Iran in the face. He added that there was no legal
basis for punishing Alusi, and Alusi will remain in the
Parliament. Ayatollah Hussain Ali Al-Sader, arguably the
most influential Shia cleric in Baghdad, told PolMinCons on
September 18 that the U.S needs to support Alusi and be more
engaged with GOI in preventing them from pursuing
prosecution. PolMinCons reviewed our efforts to date and
urged the Ayatollah to find ways to urge Iraqi officials and
parliamentarians to stop the legal investigations and quietly
restore Alusi's parliamentary immunity. The Ayatollah agreed
this was the wisest way to proceed.

CROCKER